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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,663	03/25/2004	Amit Haller	1005-39-01 USP	7837

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EXAMINER	
AJAYI, JOEL	
ART UNIT	PAPER NUMBER
2617	
MAIL DATE	DELIVERY MODE
08/05/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/809,663	HALLER ET AL.	
	Examiner	Art Unit	
	JOEL AJAYI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 June 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,10-12,14-26 and 31-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5, 10-12, 14-26, 31-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 06, 2008 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1-5, 10-12, 14-26, 31-37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time

a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-4, 10-12, 14, 15, 17-24, 26, 31-33, 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al. (U.S. Patent Number: 6,909,705)** in view of **Boone et al. (U.S. Patent Application Number: 2002/0046131)**.

Consider **claim 1**; Lee discloses providing a current cellular network attribute (DNS) to a first terminal in the short distance wireless network (Bluetooth) (column 3, lines 66 – column 4, line 5); a wide-range transceiver capable of:

i. generating a cellular signal to obtain the cellular network attribute from a cellular network over a first connection in response to one of the following:

a. receiving the cellular network attribute (the DNS server provides the DNS address to the Bluetooth device(s), column 3, lines 66 – column 4, line 5);

b. establishing the second connection with the first terminal;

c. expiration of a threshold time period since connecting to the cellular network; and

d. comparing a current Internet Protocol (IP) address and access point name (APN) to a previous IP address and APN, respectively; and

ii. receiving the cellular network attribute from the cellular network over the first connection (the DNS server provides the DNS address to the Bluetooth device(s), column 3, lines 66 – column 4, line 5).

Except: the device comprises a processor; a memory coupled to the processor, capable of storing one or more software components; receiving a first short-range radio message requesting the cellular network attribute from a first terminal over a second connection; and a short-range transceiver capable of generating, for the first terminal, a second short-range radio message including the cellular network attribute, wherein the device is capable of terminating the first connection in response to completing receiving the cellular network attribute from the cellular network, wherein the device is capable of terminating the second connection in response to completing generating the second short-range radio message.

In an analogous art Boone discloses the device comprises a processor (paragraph 131, lines 1-3); a memory coupled to the processor, capable of storing one or more software components (paragraph 132, lines 1-6); receiving a first short-range (paragraph 47) radio message requesting (inquiry) the cellular network attribute from a first terminal over a second connection (paragraphs 35 and 36); and a short-range transceiver capable of generating, for the first terminal, a second short-range radio message including the cellular network attribute, wherein the device is capable of terminating the first connection in response to completing receiving the cellular network attribute from the cellular network, wherein the device is capable of terminating the second connection in response to completing generating the second short-range radio message (this occurs after the information is provided) (paragraphs 35 and 36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Lee by including a request for cellular network attribute, as taught by Boone, for the purpose of providing network attributes for different types of networks.

Consider **claims 2, 18, 31**; Boone discloses that the cellular network attribute is a domain naming service (DNS) address (paragraphs 33 and 35).

Consider **claims 3, 19, 32**; Boone discloses that the cellular network attribute is a private Internet Protocol (IP) address for the first terminal (paragraph 33).

Consider **claims 4, 17, 26, 33**; Lee discloses that the device is capable of communicating with the first terminal through a short-range local area network (LAN) access profile session (column 3, lines 66 – column 4, line 5).

Consider **claims 10, 21, 35**; Lee discloses that the network attribute is obtained using a general packet radio service ("GPRS") in a Global System for Mobile communications ("GSM") cellular network (column 5, lines 12-15).

Consider **claims 11, 22, 36**; Lee discloses that the short distance wireless network is a Bluetooth.TM. wireless local area network (column 3, lines 66 – column 4, line 5).

Consider **claims 12, 23, 37**; Lee discloses that the short distance wireless network is an 802.11 wireless local area network (column 3, lines 66 – column 4, line 5).

Consider **claims 14, 20**; Boone discloses that the device is a cellular telephone (paragraph 47, lines 1-5).

Consider **claim 15**; Lee discloses providing a current cellular network attribute (DNS) to a first terminal in the short distance wireless network (Bluetooth) (column 3, lines 66 – column 4, line 5), the method comprising:

generating a cellular signal to obtain the cellular network attribute from a cellular network over a first connection in response to one of the following:

receiving the cellular network attribute (the DNS server provides the DNS address to the Bluetooth device(s), column 3, lines 66 – column 4, line 5); establishing the second connection with the first terminal; expiration of a threshold time period since connecting to the cellular network; and comparing a current Internet Protocol (IP) address and access point name (APN) to a previous IP address and APN, respectively; and

receiving the cellular network attribute from the cellular network over the first connection (the DNS server provides the DNS address to the Bluetooth device(s), column 3, lines 66 – column 4, line 5).

Except: receiving a first short-range radio message requesting the cellular network attribute from a first terminal over a second connection; terminating the first connection in response to completing receiving the cellular network attribute from the cellular network; generating, for the first terminal, a second short-range radio message including the cellular network attribute; and terminating the second connection in response to completing generating the second short-range radio message.

In an analogous art Boone discloses receiving a first short-range radio message requesting (inquiry) the cellular network attribute from a first terminal over a second connection (paragraphs 35 and 36); terminating the first connection in response to completing receiving the cellular network attribute from the cellular network (this occurs after the information is provided) (paragraphs 35 and 36); generating, for the first terminal, a second short-range

(paragraph 47) radio message including the cellular network attribute (DNS) (paragraphs 35 and 36); and terminating the second connection in response to completing generating the second short-range radio message (this occurs after the information is provided) (paragraphs 35 and 36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Lee by including a request for cellular network attribute, as taught by Boone, for the purpose of providing network attributes for different types of networks.

Consider **claim 24**; Lee discloses a system for providing a current cellular network attribute (DNS) to a first terminal in the short distance wireless network (Bluetooth) (column 3, lines 66 – column 4, line 5), the system comprising:

A logic unit for generating a cellular signal to obtain the cellular network attribute from a cellular network over a first connection in response to one of the following:

> receiving the cellular network attribute (the DNS server provides the DNS address to the Bluetooth device(s), column 3, lines 66 – column 4, line 5); establishing the second connection with the first terminal; expiration of a threshold time period since connecting to the cellular network; and comparing a current Internet Protocol (IP) address and access point name (APN) to a previous IP address and APN, respectively; and

a logic unit for receiving the cellular network attribute from the cellular network over the first connection (the DNS server provides the DNS address to the Bluetooth device(s), column 3, lines 66 – column 4, line 5).

Except: receiving a first short-range radio message requesting the cellular network attribute from a first terminal over a second connection; a logic unit for terminating the first

connection in response to completing receiving the cellular network attribute from the cellular network; a logic unit for generating, for the first terminal, a second short-range radio message including the cellular network attribute; and a logic unit for terminating the second connection in response to completing generating the second short-range radio message.

In an analogous art Boone discloses receiving a first short-range radio message requesting (inquiry) the cellular network attribute from a first terminal over a second connection (paragraphs 35 and 36); a logic unit for terminating the first connection in response to completing receiving the cellular network attribute from the cellular network (this occurs after the information is provided) (paragraphs 35 and 36); a logic unit for generating, for the first terminal, a second short-range (paragraph 47) radio message including the cellular network attribute (DNS) (paragraphs 35 and 36); and a logic unit for terminating the second connection in response to completing generating the second short-range radio message (this occurs after the information is provided) (paragraphs 35 and 36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Lee by including a request for cellular network attribute, as taught by Boone, for the purpose of providing network attributes for different types of networks.

Claims 5, 16, 25, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al. (U.S. Patent Number: 6,909,705)** in view of **Boone et al. (U.S. Patent Application Number: 2002/0046131)**, and further in view of **Orsic (U.S. Patent Number: 6,147,986).**

Consider **claims 5, 34**; Lee and Boone disclose the claimed invention except: the device is capable of comparing the cellular network attribute with a previously stored cellular network attribute.

In an analogous art, Orsic discloses the device is capable of comparing the cellular network attribute with a previously stored cellular network attribute (in order to determine old and new network attributes a comparison has to be made) (column 5, lines 37-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lee and Boone by including a comparison of the network attributes, as taught by Orsic, for the purpose of providing network attributes to mobile terminals.

Consider **claims 16, 25**; Orsic discloses comparing the cellular network attribute with a previously stored cellular network attribute, wherein the second short range radio message is generated in response to determining that the cellular network attribute is different from the previously stored cellular network attribute (column 5, lines 37-50).

Conclusion

Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to**:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Joel Ajayi whose telephone number is (571) 270-1091. The Examiner can normally be reached on Monday-Friday from 7:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Joel Ajayi

/Lester Kincaid/

Supervisory Patent Examiner, Art Unit 2617